

**COPY**

2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X  
5 Estate of VALERIE YOUNG, by VIOLA YOUNG, as  
6 Administratrix of the Estate of Valerie Young,  
7 and in her personal capacity, SIDNEY YOUNG, and  
LORETTA YOUNG LEE,  
Plaintiffs,

8 -against- Index No.  
07CV6241  
9 STATE OF NEW YORK OFFICE OF MENTAL RETARDATION  
10 AND DEVELOPMENTAL DISABILITIES, PETER USCHAKOW,  
11 personally and in his official capacity, JAN  
WILLIAMSON, personally and in her official  
12 capacity, SURESH ARYA, personally and in his  
official capacity, KATHLEEN FERDINAND, personally  
and in her official capacity, GLORIA HAYES,  
13 personally and in her official capacity, DR.  
MILOS, personally and in his official capacity,  
Defendants.

14 -----X  
15

16 EXAMINATION BEFORE TRIAL of the  
17 Plaintiff, SIDNEY YOUNG, taken by the Defendant,  
18 pursuant to Notice, held at the Office of the  
19 Attorney General, 120 Broadway, New York, New  
20 York 10271, on January 28, 2008, at 11:20 a.m.,  
21 before a Notary Public of the State of New York.

22  
23  
24  
25

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S. YOUNG

2 knew prior to her death that she was would suffer  
3 a blood clot?

4

MR. KAISER: Objection.

5

A. Yes.

6

Q. I'm sorry. Yes?

7

A. Yes.

8

Q. Which ones you thought knew prior  
9 to --

10

A. I don't know who was checking her.  
11 Somebody had to know about it. She was sitting  
12 still. She wasn't walking around.

13

Q. Did you think any of the defendants  
14 knew that she would suffer a blood clot that  
15 would lead to her death?

16

MR. KAISER: Objection.

17

A. They would know that is how it  
18 goes. If you don't move around, they would have  
19 to know.

20

Q. My question is, did any of the  
21 defendants now that she was going to have a blood  
22 clot that was going to kill her?

23

MR. KAISER: Objection. How is he  
24 supposed to know what the defendants know?

25

MR. VELEZ: I am asking him what

1

S. YOUNG

2 does he think.

3 MR. KAISER: That's a different  
4 question.

5 A. I don't know.

6 Q. What do you think they knew about  
7 Valerie?

8 MR. KAISER: Objection.

9 A. I don't know.

10 Q. When you said that she had problems  
11 with her leg, what were the problems that she had  
12 with her leg?

13 A. She just wasn't moving at all. She  
14 was sitting on one spot. It was going on for a  
15 while.

16 Q. When you said, "she wasn't moving  
17 at all, sitting on one spot," how do you know  
18 that?

19 A. Because usually when we would see  
20 her, she would be moving all over the place,  
21 running around and then all of a sudden, she was  
22 just sitting on one spot.

23 MR. KAISER: Objection.

24 Q. When did you start seeing that?

25 A. I don't recall. Like I said I was

1

S. YOUNG

2 there with my mother with her running back and  
3 forth to the hospital, I don't remember, but I  
4 know it was a lot.

5 Q. What period are you talking about?

6 MR. KAISER: Objection.

7 A. Within that year.

8 Q. 2005 you are saying?

9 A. Yes.

10 MR. KAISER: Objection.

11 Q. Do you know what the problem with  
12 her leg was?

13 MR. KAISER: Objection.

14 Q. Or problems?

15 A. No, I don't know.

16 Q. Now, when you visited her in 2005,  
17 were you concerned that she was going to have  
18 some medical problems?

19 MR. KAISER: Objection.

20 A. I was always concerned, that is why  
21 I was there.

22 Q. You were there on a regular basis  
23 you said, at least twice a month?

24 MR. KAISER: Objection.

25 A. Yes.

1

S. YOUNG

2

Q. Do you have any proof that you were  
3 there?

4

MR. KAISER: Objection.

5

A. I don't know -- do you remember how  
6 long ago that was? I think we used to sign the  
7 book in the back. If you check the records, you  
8 will see.

9

Q. That is my point. That was  
10 an earlier question I asked. The  
11 records indicate --

12

A. You are confusing me with all of  
13 these questions.

14

MR. KAISER: Objection.

15

Q. The records indicate that you did  
16 not visit so I am asking --

17

A. People know me there.

18

MR. KAISER: Objection.

19

A. They knew me there.

20

Q. Who there can I go to and confirm  
21 that you were there?

22

MR. KAISER: Objection.

23

A. I don't know.

24

Q. Did you become aware that she  
25 suffered for any specific condition related to

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2

her leg that might cause a blood clot?

3

MR. KAISER: Objection.

4

A. I don't know.

5

Q. Now, when you visited Valerie Young prior to June 19, 2005, did Valerie Young let you know how she felt?

8

A. She couldn't talk.

9

Q. So she was not able to communicate to you any concerns about her health benefits?

11

MR. KAISER: Objection. Let him finish with his question before you answer.

13

Okay?

14

THE WITNESS: I let him finish.

15

MR. KAISER: Can you repeat the question? I interrupted. I apologize. But he did interject an answer there before you were finished with your question.

19

Q. Was she able to communicate to you at all in any way that she was having medical problems when you visited her in 2005?

22

MR. KAISER: Objection.

23

A. Can you repeat that?

24

Q. Was Valerie Young able to communicate to you in any way that she had

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2 medical problems in 2005 that were bothering  
3 her?

4 A. She didn't have to communicate. I  
5 could tell. I knew my sister.

6 Q. The question is, she didn't  
7 communicate to you then, correct?

8 A. She could not talk anyway. I knew  
9 when something was wrong with my sister.

10 Q. Besides you knowing something was  
11 wrong, there was no way she communicated to you  
12 that something was wrong with her?

13 MR. KAISER: Objection.

14 A. No. Verbally, no.

15 Q. When you are saying you knew  
16 something was wrong, what action did you take?

17 A. I told my mom. She looked in to  
18 it.

19 Q. Did you speak to any of the  
20 defendants?

21 A. My mom did all of the talking. She  
22 knew them.

23 MR. KAISER: Objection.

24 Q. You said you were concerned, you  
25 thought something was wrong. Did you talk to any

1 S. YOUNG

2 of the defendants?

3 MR. KAISER: Objection.

4 A. I didn't have to. My mom took care  
5 of all of that business. She was the one that  
6 went to the medical doctors and did all of that  
7 stuff.

8 Q. You didn't, right?

9 A. I was working.

10 Q. When you visited twice a month, you  
11 didn't indicate to any of the defendants that you  
12 were concerned about Valerie Young?

13 MR. KAISER: Objection.

14 A. I didn't know them like that.

15 MR. KAISER: Objection.

16 Q. Did you communicate to anyone in  
17 Brooklyn Developmental Center that you were  
18 concerned about Valerie Young's health?

19 A. My mother always did.

20 Q. I am asking if you did, not what  
21 your mother did. We will find out from your  
22 mother what she did tomorrow.

23 A. No.

24 Q. Just so we are clear, you did not  
25 communicate to any of the defendants that you

1 S. YOUNG

2 feared for Valerie Young's health related to her  
3 leg condition?

4 MR. KAISER: Objection. Asked and  
5 answered.

6 A. No. We always talked to our  
7 mother.

8 Q. Your testimony is no, you talked to  
9 your mother about it?

10 A. That is correct.

11 Q. Now, the blood clot that Valerie  
12 Young had, do you think any of the defendants  
13 were involved in her having that blood clot?

14 MR. KAISER: Objection.

15 A. I can't recall that.

16 Q. You can't recall?

17 A. I don't know.

18 Q. Do you think any of the defendants  
19 took any action that lead to that happening to  
20 Valerie?

21 MR. KAISER: Objection.

22 A. I don't know how it works with the  
23 blood clot so I don't know.

24 Q. Do you think any of the defendants  
25 failed to take any action that could have stopped

1

S. YOUNG

2 the incident of June 19th with Valerie Young?

3 A. Maybe so.

4 MR. KAISER: Objection.

5 Q. How so?

6 MR. KAISER: Objection.

7 A. I don't know.

8 Q. When did you first learn about the  
9 events of June 19, 2005?

10 A. When did I first learn?

11 Q. Yes.

12 A. When she passed away? Can you  
13 repeat that?

14 Q. When did you first learn about what  
15 happened to Valerie Young on June 19, 2005?

16 A. I got a call, rushed to the  
17 hospital, something was wrong.

18 Q. Which hospital was that?

19 A. Brookdale.

20 Q. You went to the hospital?

21 A. Yes, I went to the hospital.

22 Q. What time did you arrive there?

23 A. I don't recall. It was at night.

24 Q. Where were you when you got this  
25 call?

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S. YOUNG

2

A. In my mother's house. She was at  
3 the hospital.

4

Q. When you got the call, what were

5 you told?

6

A. That Valerie was rushed to the

7 hospital.

8

Q. What else happened? From there you  
9 went to the hospital?

10

A. Brookdale Hospital.

11

Q. Did you go by myself?

12

A. I think I went with my nephew.

13

Somebody went with me. I don't recall who it  
14 was.

15

Q. When you got to the hospital, what  
16 did you find out next?

17

A. That she was in a room, that she  
18 had passed.

19

Q. When you say "passed," passed away?

20

A. Yes.

21

Q. Did anyone tell you what happened  
22 to her at Brooklyn Developmental Center?

23

A. No, I didn't know at that time.

24

Q. Now, once you find out she had  
25 passed away, who did you speak to next regarding

1

S. YOUNG

2 this?

3 A. I called my sister because we  
4 didn't want to upset my mother because she was in  
5 the hospital with her heart. We were trying to  
6 figure out how we are we going to tell her.

7 Q. Was your mother hospitalized at  
8 that time?

9 A. Yes.

10 Q. When you arrived at Brookdale, who  
11 else was there?

12 MR. KAISER: Objection to the form.

13 A. The two workers.

14 Q. The two workers from Brooklyn?

15 A. Yes.

16 Q. Were any of your relatives there  
17 besides you?

18 A. I think my nephew was with me. I  
19 don't recall which one it was.

20 Q. Did your sister arrive at any  
21 point?

22 A. She came after.

23 Q. How soon after?

24 A. Maybe within the hour. She came  
25 from Queens.

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S. YOUNG

2

Q. Now, who do you remember discussing  
next, regarding what happened to Valerie?

4

MR. KAISER: Objection.

5

Q. In other words, you got to the  
hospital, you were told she passed away, who do  
you remember next discussing with about what  
happened to Valerie?

9

A. Maybe the workers.

10

Q. When your sister arrived, did you  
discuss with her?

12

A. Of course.

13

Q. Did the workers tell you what  
happened?

15

A. No.

16

Q. Do you remember who were the  
workers from Brooklyn Developmental Disabilities  
Service Office that you spoke to?

19

A. I just knew them by face. I didn't  
know their names.

21

Q. When did you first discuss the  
incident with your mother?

23

A. That night. It had to be that  
night. We went to the hospital that night.

25

Q. You spoke to her by telephone or  
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